

1 David R. Markham (SBN 071814)
dmarkham@markham-law.com
2 Peggy Reali (SBN 153102)
preali@markham-law.com
3 Janine Menhennet (SBN 163501)
jmenhennet@markham-law.com
4 Maggie K. Realin (SBN 263639)
mrealin@markham-law.com
5 **THE MARKHAM LAW FIRM**
750 B Street, Suite 1950
San Diego, CA 92101
6 Tel: (619)399-3995; Fax: (619) 615-2067

7
8 **UNITED STATES DISTRICT COURT**
9 **NORTHERN DISTRICT OF CALIFORNIA**
10 **SAN JOSE DIVISION**
11
12

13 IN RE: HIGH TECH EMPLOYEE
14 ANTITRUST LITIGATION

) **MASTER DOC. NUMBER:**

) **11-cv-02509-LHK**

15 THIS DOCUMENT RELATES TO:

16 ALL ACTIONS
17
18

18 DESERAЕ RYAN, and TRENT RAU,
19 individually and on behalf of all others
20 similarly situated;

21 Plaintiffs

22 vs.

23 MICROSOFT CORPORATION, a Washington
24 corporation;

25 Defendants.
26
27
28

) **Case No. 14-cv-04634-EJD**

) **PLAINTIFFS' REQUEST FOR LEAVE**
) **TO FILE REPLY TO MOTION FOR**
) **ADMINISTRATIVE RELIEF TO**
) **CONSIDER WHETHER CASES**
) **SHOULD BE RELATED**

TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

Plaintiffs Deserae Ryan and Trent Rau hereby request leave from the Court to file a Reply in support of their request to have the *Ryan v. Microsoft Corporation* matter, case no. 14-cv-04634 EJD, related to the instant case. Defendant Microsoft Corporation's Response to Plaintiffs' Request to have the cases related raised several substantive issues which deserve a short response from Plaintiffs.

Microsoft's two main arguments in their response to Plaintiffs' motion are thus: 1) Washington's non-compete law governs the class members' contracts at issue in this case, and therefore this case may be transferred to the District of Washington; and 2) because the Department of Justice declined to pursue Microsoft in its investigation, this amounts to a finding of innocence.

While Plaintiffs understand that Local Rule 3-12 does not explicitly provide for a reply brief to a motion for administrative relief, Plaintiffs herein seek leave from the Court, under its inherent powers, to allow Plaintiffs leave to file a reply to the issues raised by Microsoft in its Response.

Dated: November 13, 2014

THE MARKHAM LAW FIRM

s/ Janine R. Menhennet
Attorney for Plaintiffs and on behalf of those
similarly situated